IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 13809 of 2004

Between:

1 B.Satyam, S/o Satyanarayana, Udimudi PACS, O/o Kotipally, K.Gangavaram Mandal, East Godavari District
2 Ch.V.V.S.Saibaba, S/o Satyam, Udimudi PACS, O/o Kotipally, K.Gangavaram Mandal, East Godavari District
3 M.Satyanarayana, S/o Janakiramaiah, Chelluru C.R.B., Rayavaram mandal, East Godavari District
4 G.Veera Venkata Satyanarayana, S/o Venkata Rao, Chelluru C.R.B., Rayavaram mandal, East Godavari District
5 G.Suryachander Rao, S/o Seetharamaiah, Chelluru C.R.B., Rayavaram mandal, East Godavari District
6 G.Venkateswara Rao, S/o Seetharamaiah, Chelluru C.R.B., Rayavaram mandal, East Godavari District
7 V.Appanna, S/o China Subba Rao, Chelluru C.R.B., Rayavaram mandal, East Godavari District
8 V.Rama Krishna, S/o Surya Rao, Kaleru PACS, O/o Atchutapuram, Kapileswarapuram Mandal, East Godavari District
9 K.Rama Rao, S/o Veeranna, Kaleru PACS, O/o Atchutapuram, Kapileswarapuram Mandal, East Godavari District
10 K.Venkata Prasada Reddy, S/o Venkata Reddy, Valluri PACS, Mandapeta Mandal, East Godavari District
11 P.A.C.S., K.Govinda Rao, S/o Satyanarayana, Tapeswaram PACS, Mandapeta Mandal, East Godavari District
12 V.Prabhavathi, W/o Srinivasa Rao, Valluri PACS, Mandapeta Mandal, East Godavari District
13 P.Srihari Venkata Siva Narayana Vara Prasad, S/o Raghavulu, Velagathodu PACS, Mandapeta Mandal, East Godavari District
14 A.Suryan, S/o Venkata Surya Rao, Velagathodu PACS, Mandapeta Mandal, East Godavari District
15 M.Veerakasulu, S/o Lakshmaiah, Velagathodu PACS, Mandapeta Mandal, East Godavari District

16 D.Veerabhadra Rao, S/o Rajulu,
Shankavaram PACS, Shankavaram mandal, East Godavari District
17 K.N.V.V.Konda Raju, S/o Atchuta Ramaraju,
P.Dontamur PACS, Pitapuram Mandal, East Godavari District

..... PETITIONERS

AND

1 The Government of A.P.rep.by its Secretary, Cooperation Department, Secretariat, Hyderabad
2 The Commissioner for Cooperation and Registrar of Cooperative Societies, Nampally, Hyderabad
3 The District Cooperative Officer, East Godavari District at Kakinada
4 The Divisional Coop.Officer, Rajahmundry, East Godavari District
5 The Divisional Cooperative Officer, Peddapuram, East Godavari District
6 The Udimudi PACS, O/o Kotipalli, K.Gangavaram Mandal,
East Godavari District rep.by its Chairman/PIC
7 The Chelluru C.R.B.Rayavaram Mandal, East Godavari District rep.by its Chairman/PIC
8 The Kaleru PACS, O/o Atchutapuram, Kapileswarapuram Mandal,
East Godavari District rep.by its Chairman/PIC
9 The Tapeswaram PACS, Mandapeta mandal, East Godavari District rep.by its Chairman/PIC
10 The Velagathodu PACS, Mandapeta Mandal, East Godavari District
rep.by its Chairman/PIC
11 The P.Dontamuru PACS, Pitapuram Mandal, East Godavari District rep.by its Chairman/PIC

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned G.O.Ms.No.94, dated 28-2-2004 and consequential proceedings of termination issued by the respondent societies as highly illegal, arbitrary and violative of Articles14 and 21 of the Constitution of India and also contrary to the provisions of A.P.C.S.Act and without jurisdiction and consequently set aside the same.

Counsel for the Petitioner:MR.G.V.SHIVAJI

Counsel for the Respondents 1 TO 5: GP FOR COOPERATION

Counsel FOR RESPONDENT NO.11: Mr.C.V.Mohan Reddy

Cpimsel for respondents 6 to 10: None appeared.

The Court made the following :

O R D E R:

The learned counsel for the petitioner submits that this Writ Petition is squarely covered by the order passed by my learned brother Justice Goda Raghuram, in W.P.No. 25318 of 2003, dated 6.8.2003, which was reported in A.P. STATE COOPERATIVE SOCIETIES EMPLOYEES UNION VS. GOVERNMENT OF ANDHRA PRADESH

Following the said judgment, this Writ Petition is dismissed. No costs.

V. ESWARAIAH, J

Dated: 05.11.2004

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To

1 The Secretary to Government of A.P., Cooperation Department, Secretariat, Hyderabad
2 The Commissioner for Cooperation and Registrar of Cooperative Societies, Nampally, Hyderabad
3 The District Cooperative Officer, East Godavari District at Kakinada
4 The Divisional Coop.Officer, Rajahmundry, East Godavari District
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11 The P.Dontamuru PACS, Pitapuram Mandal, East Godavari District rep.by its Chairman/PIC

12. 2 CCs to G.P. for Cooperation, High Court of A.P., Hyderabad. (OUT)

13. 2 CD copies.